

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
SEPTEMBER 21, 1977

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Wednesday, September 21, 1977 in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - Ehrhardt, Hughes,
Pinkerton and
Katnich (Mayor)

Absent: Councilmen - Katzakian

Also present: City Manager Graves, Assistant City Manager Glenn, Public Works Director Ronsko, Community Development Director Schroeder, City Attorney Mullen, and City Clerk Reimche.

INVOCATION

The invocation was given by Reverend James Holm, Vinewood Community Church.

PLEDGE

Mayor Katnich led the Pledge of Allegiance to the flag.

MINUTES

City Clerk Reimche asked that the Minutes of September 7, 1977 be amended as follows:

Item 6, Page No. 15 Insert figure \$3500.00

On motion of Councilman Pinkerton, Ehrhardt second, the Minutes of September 7, 1977 were approved as amended.

PROCLAMATION

Mayor Katnich proclaimed September 17, 1977 through September 23, 1977 as "Constitution Week" and presented the Proclamation to Mrs. Clarence Tappen.

PUBLIC HEARINGS

APPEAL OF MIR
AFZAL (MIR HOTEL,
17-1/2 W. ELM ST.,
LODI) CONTINUED

Notice thereof having been published and posted in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Katnich called for the hearing to consider the appeal of Mr. Mir Afzal, owner of the Mir Hotel at 27-1/2 West Elm Street, Lodi, California regarding inspection made of that premises by the San Joaquin Local Health District and the subsequent order to vacate.

City Clerk Reimche apprised the Council that a letter dated September 15, 1977 had been received from Mr. Jack C. Dozier, attorney for Mir Afzal requesting that the hearing set for September 21, 1977 be continued for a period of sixty days.

21-198120
J. P.

Minutes of September 21, 1977, continued

MIR HOTEL APPEAL
CONTINUED
(Continued)

City Attorney Mullen suggested that the matter be continued for a period of thirty days rather than the requested sixty days.

Following discussion, Council, on motion of Councilman Ehrhardt, Pinkerton second, continued the hearing on the appeal of Mr. Mir Afzal, owner of the Mir Hotel at 27-1/2 West Elm Street, Lodi regarding the inspection made of that premises by the San Joaquin Local Health District and the subsequent order to vacate to the regular Council meeting of October 19, 1977.

PLANNING COMMISSION

The City Manager gave the following report of the Planning Commission meeting of September 12, 1977:

The Planning Commission -

1. Recommended that Locust, Oak and Walnut Streets remain open at their crossings of the Southern Pacific Railroad right of way and that the City Council take the necessary steps to provide necessary crossing protection.

REQUEST TO REZONE
13.01 ACRE PARCEL
AT 1531 SOUTH
CHURCH ST. FROM
R-1 TO R-MD SET FOR
PUBLIC HEARING.

2. Recommended approval of the request of Matthews Development Company on behalf of Mrs. Elizabeth Barbera to rezone the 13.01 acre parcel at 1531 South Church Street from R-1, Single-Family Residential to R-MD, Medium Density Multiple Family Residential.

On motion of Councilman Ehrhardt, Kamich second, the matter was set for Public Hearing on October 5, 1977.

ITEMS OF INTEREST

The Planning Commission also -

1. Extended for a period of six months the Use Permit for a family recreation center (i.e. coin-operated devices) at 16 West Pine Street in an area zoned C-2, General Commercial.

2. Certified as adequate the Final Environmental Impact Report for Hansen Industrial Park, a 7.7 acre, 11 lot industrial tract located on the north side of East Lodi Avenue, west of State Route 99 in an area zoned M-1, Light Industrial.

3. Conditionally approved the Tentative Subdivision Map of Hansen Industrial Park, a 7.7 acre, 11 lot industrial tract located on the north side of East Lodi Avenue, west of State Route 99 in an area zoned M-1, Light Industrial.

4. Denied the request of Mr. Mike Collins on behalf of Century 21 Real Estate for a Variance to increase the maximum allowable sign area from 40 square feet to 76 square feet at 310 North Ham Lane in an area zoned C-1, Neighborhood Commercial.

Minutes of September 11, 1977, continued

PLANNING COMMISSION

ITEMS OF INTEREST (Continued)

5. Acknowledged receipt of and took no action on the request of Baumbeck and Piazza Consulting Engineers in behalf of Woodbridge Golf and Country Club for the approval of Fairway Estates, a 26.7 acre, 34-lot subdivision located on the north side of an existing golf course and to be surrounded by additional golfing facilities.

6. Recommended approval of the request of Mr. L. F. Christensen, et al, to rezone an area on the north side of Taylor Road, west of Lower Sacramento Road from I-PA, Interim Protected Agriculture to GA-40, General Agriculture to permit the enlargement of an existing agriculture preserve.

7. Recommended approval of the request of Mr. Gary T. Tsutsumi for a parcel split to create a 2.21 acre lot and a 12.88 acre lot from an existing parcel on the south side of Harney Lane, 190 feet west of South Stockton Street in an area zoned GA-5, General Agriculture.

COMMUNICATIONS

NOTTINGHAM ADDITION ANNEXATION

RES. NO. 4391

City Clerk Reimche apprised the Council that a letter had been received from Mr. Frank Nottingham asking that the Council proceed with the annexation of his property located on Highway 12. Previously on August 3, 1977 Mr. Nottingham had advised the City by letter of his desire to hold the annexation of his property located on Victor Road/Highway 12 in abeyance for a period of one year.

Council was advised that San Joaquin County Local Agency Formation Commission Resolution No. 332 approving the Nottingham Addition No. 77-3 to the City of Lodi was received indicating that the Executive Officer of the San Joaquin County Local Agency Formation Commission certified the filing of an application with the Commission for said annexation on March 18, 1977. The petition for annexation of Uninhabited Territory signed by all property owners involved is on file in the office of the City Clerk.

The Resolution goes on to direct that the City Council of the City of Lodi is authorized to proceed without notice and hearing and without an election as provided in Section 54797, 1 of the Government Code. Resolution No. 332 was passed and adopted by the San Joaquin County Local Agency Formation Commission on April 18, 1977.

Councilman Pinkerton asked to abstain from the discussion and voting on this matter as through his family and inheritance, he has a 1/3 interest in the Purchase Price Note and Deed of Trust that was given by Mr. Nottingham on the property.

Minutes of September 21, 1977, continued

NOTTINGHAM
ADDITION
ANNEXATION

RES. NO. 4391
(Continued)

11-8-77

Council was apprised that this property would be annexed under the "Unclassified Holding" classification. Discussion followed with questions regarding the matter being directed to Staff.

On motion of Councilman Hughes, Ehrhardt second, Council adopted Resolution No. 4391 approving the annexation of certain uninhabited territory, designated "Nottingham Addition" to the City of Lodi by the following vote:

Ayes: Councilmen - Ehrhardt, Hughes and Katnich

Noes: Councilmen - None

Abstain: Councilmen - Pinkerton

Absent: Councilmen - Kutzkian

RES. SUPPORTING
AB 1852 REC'D.

11-28-77

A copy of Resolution No. 559-77 from the City of El Cajon, which supports rate of sale rules which impede or prevent the timely licensing of essential power projects was presented for Council's scrutiny by City Clerk Baltimore.

PUC NOTICES

11-7-77

A notice received from Continental Trailways, Inc. and American Airlines, Inc. advising of their filing of an application with the Public Utilities Commission, State of California to increase passenger fares and service charges by 5.4% was presented to Council for review.

The City Clerk also presented a notice received from the Pacific Gas and Electric Company advising of its filing with the California Public Utilities Commission of a request for authorization to implement a plan to stabilize electric rates and charges.

REPORTS OF LOWER
SACRAMENTO ROAD
RESIDENTS'
CONCERN

11-7-77

In response to Council's direction regarding the petition the Council had previously received concerning homes and citizens in the area of Lower Sacramento Road being hit by stray pellets, the City Clerk presented for Council's scrutiny reports which had been prepared by both the Chief of Police and the City Clerk. Mayor Katnich requested that this information be forwarded to Mr. Hal Newman, 418 N. Lower Sacramento Road, Lodi, one of the spokesmen who had addressed the Council on this matter.

UNITED WAY COUNTY-
WIDE KICK OFF
LUNCHEON

Council was advised of the 1977 County-wide United Way Kick Off Luncheon to be held at the Stockton Civic Auditorium on Thursday, October 6, 1977 at 12:00 noon.

Minutes of September 21, 1977, continued

COUNCIL SUPPORT
RE INITIATIVE
CONCERNING
PROHIBITION OF
COMPULSORY &
BINDING ARBITRA-
TION FOR PUBLIC
EMPLOYEES SOUGHT

The City Clerk presented a letter which had been received from Pete Wilson, Mayor of the City of San Diego urging the City's support for the "vitally important" constitution amendment initiative which will prevent the Legislature from legalizing public employee strikes and compulsory binding arbitration for public employees in California.

LETTER RECD RE
PACIFIC GROVE'S
MINI BUS SERVICE

A letter signed "A Native of Lodi" and picture and short news story regarding Mini Bus Service in Pacific Grove was presented for Council's perusal.

PROPOSALS
RECEIVED RE
COMMUNITY
GARDEN

City Clerk Reinche presented a letter which had been received from Mark L. Stebbins, Community Garden Coordinator regarding the future of the community garden located on East Lodi Avenue which letter proposed the following for Council's approval:

- 1) The University of California Cooperative Extension will agree to oversee the community garden including organizing the garden participants and providing the city with a certificate of co-insurance.
- 2) They request that the City continue to provide water for the garden and that the City erect or provide material for a suitable fence along the front and west sides of the property.

A lengthy Council discussion followed. Mr. Stebbins who was in the audience addressed the Council regarding the subject and answered questions as were directed by Council.

Mayor Kathryn then directed City Manager Claves to further investigate the matter and to prepare a report for Council including a cost estimate of the proposed fencing and possible alternatives for protecting the garden.

CONSENT CALENDAR

In accordance with the report and recommendation of the City Manager, the following actions hereby set forth between asterisks, on motion of Councilman Pinkerton, Ehrhardt second, were approved by Council.

CLAIMS

CLAIMS WERE APPROVED IN THE AMOUNT OF
\$288,571.23.

LANE LINE PAINTING
SPECS APPROVED

COUNCIL APPROVED THE SPECIFICATIONS
FOR LANE LINE PAINTING AND AUTHORIZED
THE PURCHASING AGENT TO ADVERTISE FOR
BIDS THEREON.

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ACCEPTANCE OF
DEVELOPMENT AT
CHEROKEE &
LOCKEFORD

RES. NO. 4392

Council was apprised by the City Manager that the improvements in the development located at Cherokee Lane and Lockeford Street have been completed in substantial conformance with the requirements of the Development Agreement between the City of Lodi and Ronald B. Thomas dated June 9, 1976 and as specifically set forth in the plans and specifications approved by the City Council.

RESOLUTION NO. 4392

RESOLUTION ACCEPTING THE IMPROVEMENTS
AND STREETS IN THE DEVELOPMENT AT
CHEROKEE LANE AND LOCKEFORD STREET.

ACCEPTANCE OF
DEVELOPMENT AT
GARFIELD & VINE
STREETS

RES. NO. 4393

City Manager Graves advised the Council that the improvements in the development located at Garfield and Vine Streets have been completed in substantial conformance with the requirements of the Development Agreement between the City of Lodi and William J. and LaNora E. Clemings dated June 30, 1976 and as specifically set forth in the plans and specifications approved by the City Council.

RESOLUTION NO. 4393

RESOLUTION ACCEPTING THE IMPROVEMENTS
AND STREETS IN THE DEVELOPMENT AT
GARFIELD AND VINE STREETS.

ACCEPTANCE OF
HUTCHINS ST. &
CENTURY BLVD.
TRAFFIC SIGNALS

Council was informed that the improvements in "Traffic Signals - Century Boulevard and Hutchins Street" which contract was awarded to Grason Electric Company of Sacramento on April 20, 1977 has been completed in substantial conformance with the plans and specifications approved by the City Council.

THE CITY COUNCIL ACCEPTED THE IMPROVEMENTS IN "TRAFFIC SIGNALS - CENTURY BOULEVARD AND HUTCHINS STREET" AND DIRECTED THE ASSISTANT CITY ENGINEER TO FILE A NOTICE OF COMPLETION THEREON WITH THE COUNTY RECORDER'S OFFICE.

POLICE OFFICERS'
WIVES EXPRESS
CONCERN REGARD-
ING SHORTAGE OF
UNIFORM PATROL-
MEN IN CITY

Mrs. Darla Murray, acting as spokesperson for a contingent of police officers' wives addressed the City Council expressing growing concern regarding the "shortage of uniform patrolmen in the City of Lodi."

Mrs. Murray cited staffing statistics for the Police Department comparing 1964 with the current staffing ratio.

Mrs. Murray further stated that "they" are concerned for the safety of their husbands and stated that "they" hope that the City Council as well as the people of Lodi would take a closer look at the

Minutes of September 21, 1977, continued

UNIFORM PATROLMEN (Continued)

problems confronting the City's Police Department and would rectify the problem by taking appropriate action.

Council discussion followed with questions being directed to Staff as well as to Mrs. Murray and her group. The City Manager was then directed to prepare a report for Council on the matter with Council specifying information it wanted contained in the requested report.

PLANS & SPECS FOR
"COMMUNITY DRIVE
STORM DRAIN"
APPROVED

City Manager Graves presented the plans and specifications for "Community Drive Storm Drain, Vine Street to Cochran Road", advising that in general the work consists of installation of 791 feet of 30-inch storm drain in the Westwind Subdivision and adjacent developments in conformance with the Master Drain Program. The contract will not be awarded until the subdivision is approved, but because the storm line should be constructed early in the development of the subdivision, it is felt wise to get early bidding approval.

On motion of Councilman Ehrhardt, Hughes second, Council approved the plans and specifications for "Community Drive Storm Drain, Vine Street to Cochran Road", and authorized the City Clerk to advertise for bids thereon.

REVISED INTRACT
DRAINAGE FEES
ADOPTED

RES. NO. 4394

Council was apprised that the Intract Drainage Fee has not been updated since it was introduced in 1972 and that the account is presently in the red approximately \$20,000. The intent of the resolution adopted in 1972 was to equalize the storm drainage responsibility in each subdivision and development within the City.

In order to update the intract drainage fee, subdivisions and developments for approximately the last five years were studied and a proposed new fee and credit schedule as developed by Staff was presented for Council's scrutiny as follows:

FEE - \$1,100 per gross acre

CREDITS

12" pipe	\$ 8.50 per lineal foot
15" pipe	\$ 9.50 per lineal foot
18" pipe	\$ 11.00 per lineal foot
21" pipe	\$ 13.10 per lineal foot
24" pipe	\$ 16.20 per lineal foot
27" pipe	\$ 18.10 per lineal foot
30" pipe	\$ 20.00 per lineal foot
48" manhole	\$ 600.00 each
60" manhole	\$1250.00 each

Lengthy Council discussion followed with questions regarding the subject being directed to Staff.

On motion of Councilman Ehrhardt, Pinkerton second, Council adopted Resolution No. 4394 approving the

Measures of September 21, 1977, continued
INTRACT DRAINAGE

FEEES (Contd.) Inactive Fee and increased grade to more
 RES. NO. 4394 facilities in subdivisions and developments as pro-
 (Contd.) of our proposed proposed by staff of

**APPROVAL OF NEW Subdivision Agreement form proposed to be
 SUBDIVISION used on all future subdivisions and developments was
 AGREEMENT FORM presented for Council's scrutiny. Council was
 apprised that the form conforms to the recommended
 Subdivision Agreement format prepared by the League
 of California Cities.**

Council tacitly approved the proposed new form
 following discussion with questions being posed to

Staff on the matter:

**ACTION DEFERRED
 ON AGENDA ITEM
 "i"**

Following discussion, Council, on motion of Council-
 man Pinkerton, Ehrhardt second, deferred action on
 Agenda Item No. "i" - "Determination of need for
 School District Property across street from Old
 Tokay High School" to receive a report on the matter

from Citizens Committee which has been appointed
 sometime ago.

**ACTION DEFERRED
 ON AGENDA ITEM
 "j"**

Lengthy discussion followed introduction of Agenda
 Item "j" entitled ("Review of Section 26-19(e) of the
 Code of the City of Lodi entitled 'Protections' with
 questions being directed to the Staff on the matter.

The following persons spoke in support of the section
 presently written:

Ms. Beryl Georguson, 2223 W. Cochran Road,
 Lodi

Ms. Janet Barry, 2421 Diablo Court, Lodi

Following additional discussion, Council, on motion
 of Councilman Hughes, Ehrhardt second, continued
 the matter to the next regular Council meeting when
 all Council members are present.

**SCHOOL CROSSINGS
 APPRVD. IN
 VICINITY OF TOKAY
 HIGH SCHOOL**

RES. NO. 4395

Council was apprised that the recent opening of the
 High School on the north side of Century Boulevard
 and the development of subdivisions to the south of
 Century Boulevard, necessitates the installation of
 school crossings in the vicinity of Tokay High School.
 A diagram of the proposed school crossings was
 presented for Council's scrutiny and Council was
 advised that the proposed crossings meet with the
 approval of school officials from Tokay High School
 and the City Engineering Division.

On motion of Councilman Ehrhardt, Katnisch second,
 Council adopted Resolution No. 4395 establishing
 school crossings in the vicinity of Tokay High School
 and Dotchester and Dartmoore Circle.

Minutes of September 21, 1977, continued

AWARD - CLASS II
SLURRY SEAL

RES. NO. 4396

City Manager Graves advised the Council that bids to apply Class II Slurry Seal to City Streets were received as follows and recommended that the award be made to Bay Area Sealers, the low bidder in the amount of \$12,197.78.

<u>BIDDER</u>	<u>SQUARE FEET</u>	<u>TOTAL COST</u>
Bay Area Sealers San Jose, CA	413,875	\$12,197.78
Graham, Inc. San Jose, CA	413,875	\$14,071.75

On motion of Councilman Ehrhardt, Pinkerton second, Council adopted Resolution No. 4396 awarding the bid to apply Class II Slurry Seal to City Streets to Bay Area Sealers, San Jose, the low bidder in the amount of \$12,197.78.

ORDINANCES

REZONING PARCELS
AT 245, 305, 307, 317,
321, 325, 331, & 335 E.
KETTLEMAN & 1341
S. CENTRAL FROM
R-MD TO C-2

ORD. NO. 1118
ADOPTED

Ordinance No. 1118 entitled "An Ordinance Amending the Official District Map of the City of Lodi and Thereby Rezoning Parcels located at 245, 305, 307, 317, 321, 325, 331 and 335 E. Kettleman Lane and 1341 South Central Avenue from R-MD, Medium Density Multiple Family Residential to C-2, General Commercial" having been introduced at a regular meeting of the Lodi City Council held September 7, 1977 was brought up for passage on motion of Councilman Ehrhardt, Hughes second. Second reading was omitted after reading by title and the Ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - Ehrhardt, Hughes, Pinkerton
and Katnich

Noes: Councilmen - None

Absent: Councilmen - Katzakian

REZONING PARCEL
AT 310 S. SCHOOL
STREET FROM R-HD
TO C-2

ORD. NO. 1119
ADOPTED

Ordinance No. 1119 entitled "An Ordinance Amending the Official District Map of the City of Lodi and Thereby Rezoning Parcel at 310 South School Street from R-HD, High Density Multiple Family Residential to C-2, General Commercial" having been introduced at a regular meeting of the Lodi City Council held September 7, 1977 was brought up for passage on motion of Councilman Pinkerton, Ehrhardt second. Second reading was omitted after reading by title and the Ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - Ehrhardt, Hughes, Pinkerton
and Katnich

Noes: Councilmen - None

Absent: Councilmen - Katzakian

Minutes of September 21, 1977, continued

ORDINANCE
REGULATING
TRAFFIC UPON
PUBLIC STREETS

ORD. NO. 1120
ADOPTED

Ordinance No. 1120 entitled "An Ordinance Amending Section 201 of Ordinance 493 entitled 'An Ordinance of the City of Lodi Regulating Traffic upon the Public Streets', and all other Ordinances and Parts of Ordinances in Conflict Herewith" having been introduced at a regular meeting of the Lodi City Council held September 7, 1977 was brought up for passage on motion of Councilman Ehrhardt, Pinkerton second. Second reading was omitted after reading by title and the Ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - Ehrhardt, Hughes, Pinkerton
and Katnich

Noes: Councilmen - None

Absent: Councilmen - Katzakian

REQUEST TO
DEFER ACTION ON
ADOPTION OF
ORD. NO. 1121

City Clerk Reimche presented for Council's information a letter that had been received from Mr. Homer C. Beldt, Casa de Lodi, 812 East Turner Road, Lodi requesting that Council defer consideration of the proposed new utility rates for Mobile Home Parks in the City of Lodi advising of a new proposal to be forthcoming on October 6, 1977.

No action was taken on Ordinance No. 1121 entitled "An Ordinance Establishing Rates for the Sale of Electric Energy by the City of Lodi for Multi-Family Domestic Service" which had been introduced at the September 7, 1977 regular Council meeting.

FURTHER REVIEW
OF CITY HALL
PARKING LOT
REQUESTED

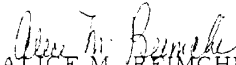
Following introduction of the subject by Councilman Hughes, Council, on motion of Councilman Pinkerton, Ehrhardt second requested further study at a future Informal Informational Meeting of the proposed City Hall (Turnage Market area) parking lot.

EDA APPOINTMENT
MADE

Mayor Katnich, with the tacit concurrence of the City Council, appointed Mr. Elmer Altnow to the San Joaquin County Economic Development Association.

ADJOURNMENT

There being no further business to come before the Council, Mayor Katnich adjourned the meeting at approximately 10:10 p.m. on motion of Councilman Pinkerton, Ehrhardt second.

Attest: 
ALICE M. REIMCHE
CITY CLERK